



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

April 9, 2003

Ms. Catherine Witherspoon
Executive Officer
California Air Resources Board
P.O. Box 2815
1001 I Street
Sacramento, CA 95812

Dear Ms. Witherspoon:

We have found adequate for transportation conformity purposes the motor vehicle emissions budgets in the Ozone Redesignation Request and Maintenance Plan for San Diego County (December, 2002). As a result of our adequacy finding, the San Diego Association of Governments, the Federal Highway Administration and the Federal Transit Authority must use these budgets in future conformity analyses.

On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on *Environmental Defense Fund v. Environmental Protection Agency*, No. 97-1637, that we must make an affirmative determination that the submitted motor vehicle emissions budgets contained in State Implementation Plans (SIPs) are adequate before they are used to determine the conformity of Transportation Improvement Programs or Long Range Transportation Plans. In response to the court decision, we make any submitted SIP revision containing a control strategy plan available for public comment and respond to these comments before announcing our adequacy determination.

On December 11, 2002, the Board of the San Diego County Air Pollution Control District adopted a redesignation request and maintenance plan for San Diego County that was developed to address requirements under the Clean Air Act for maintenance plans. On December 20, 2002, the California Air Resources Board submitted this plan to EPA. The plan identifies regional motor vehicle emissions budgets in tons of VOC and NO_x per day for the years 2010 and 2014. We announced receipt of the plan on the Internet and requested public comment by February 13, 2002. We received no comments on the plan during that comment period.

This letter transmits our decision that the emissions budgets in the maintenance plan are adequate for transportation conformity decisions. In reaching this decision, we have reviewed the plan and have preliminarily determined that it will result in maintenance of the 1-hour ozone standard in the San Diego County area. We have also considered the public comments on the plan and the County's responses to those comments.

We have enclosed a table that summarizes our adequacy determination. We will soon post this information on the Internet at:

<http://www.epa.gov/otaq/transp/conform/reg9sips.htm>

We will also announce this adequacy determination in the Federal Register. This determination will become effective 15 days after the Federal Register announcement.

If you have any questions regarding this decision, please contact John Kelly of my staff (415) 947-4151.

Sincerely,

/Amy Zimpfer for/
Jack P. Broadbent
Director, Air Division

Enclosure (Adequacy Review)

cc: Bob OiLoughlin, Federal Highway Administration
Wade Hobbs, Federal Highway Administration
Leslie Rogers, Federal Transit Administration
Sharon Herzinger, California Department of Transportation
Elisa Arias, San Diego Association of Governments
Rob Reider, San Diego County Air Pollution Control District

Enclosure

Transportation Conformity Adequacy Review

Maintenance SIP under Review: San Diego County Serious 1-Hour Area		Date of SIP Receipt by EPA: 12/20/2002	
Reviewers: John Kelly, Karina O'Connor, David Jesson		Date: March 11, 2003	
Transportation Review Criteria, 40 CFR 93.118(e)(4) (i) - (vi)		Criterion Satisfied? Y/N	Reference in SIP Document / Comments
(i)	The submitted control strategy implementation plan revision or maintenance plan was endorsed by the Governor (or his or her designee) and was subject to a State public hearing.	Y	The December 20, 2002 SIP transmittal letter from CARB's Executive Officer to Wayne Nastri indicates Board adoption (CARB is the Governor's designee to adopt plans), and encloses the Executive Order (G-02-058) adopting the plan. The submittal includes a Workshop Report, which describes public involvement and District response during a workshop held July 25, 2002. Also included is an affidavit proof of publication for the notice of public hearing, held December 11, 2002.
(ii)	Before the control strategy implementation plan or maintenance plan was submitted to EPA, consultation among federal, State, and local agencies occurred; full implementation plan documentation was provided to EPA; and EPA's stated concerns, if any, were addressed.	Y	Consultation with federal, state and local agencies and the public was undertaken. Local Conformity Working Group met monthly (SANDAG, SDCAPCD, EPA, Caltrans, FTA, FHWA). EPA was able to comment on the draft plan prior to receiving the submittal, and those comments were addressed.

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Reviewers: John Kelly, Karina O'Connor, David Jesson		Date: March 11, 2003	
Transportation Review Criteria, 40 CFR 93.118(e)(4) (i) - (vi)		Criterion Satisfied? Y/N	Reference in SIP Document / Comments
(iii)	The motor vehicle emissions budget(s) is clearly identified and precisely quantified.	Y	The motor vehicle emissions budgets are clearly identified and precisely quantified on page 5-3 of the plan.
(iv)	The motor vehicle emissions budget(s), when considered together with all other emissions sources, is consistent with applicable requirements for reasonable further progress, attainment, or maintenance (whichever is relevant to the given implementation plan submission).	Y	The plan adequately provides for all maintenance requirements. Additional emissions reductions will be achieved during the maintenance period through California's ongoing emissions control program for engines and vehicles (page 5-5). These reductions will reduce emissions well below the level that is needed to maintain the 1-hour ozone standard.
(v)	The motor vehicle emissions budget(s) is consistent with and clearly related to the emissions inventory and the control measures in the submitted control strategy implementation plan revision or maintenance plan.	Y	The emissions inventory is included with the plan and is consistent with and clearly related to the MVEB. Control measures are also consistent with and clearly related to the MVEB.

Maintenance SIP under Review: San Diego County Serious 1-Hour Area		Date of SIP Receipt by EPA: 12/20/2002	
Reviewers: John Kelly, Karina O'Connor, David Jesson		Date: March 11, 2003	
Transportation Review Criteria, 40 CFR 93.118(e)(4) (i) - (vi)		Criterion Satisfied? Y/N	Reference in SIP Document / Comments
(vi)	Revisions to previously submitted control strategy implementation plans or maintenance plans explain and document any changes to previously submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see Sec. 93.101 for definition); and reasons for the changes (including the basis for any changes related to emission factors or estimates of vehicle miles traveled).	N/A	There is no previous 1-hour maintenance SIP.